

OFFICE OF THE GENERAL COUNSEL

MEMORANDUM GC 01-01

December 15, 2000

TO: All Field Personnel**FROM:** Leonard R. Page, General Counsel**SUBJECT:** *Pro Bono* Program

Today I am announcing the extension and implementation of the National Labor Relations Board's *Pro Bono* Legal and Volunteer Program to include all Agency field employees. Our program has been in place at headquarters for more than three years and has enabled Agency employees to more fully participate in voluntary efforts to address the unmet needs of our communities. As stated more fully in our Policy Statement on *Pro Bono* Legal and Volunteer Services issued on April 24, 1997, it is the policy of this Agency to encourage and support efforts by Agency employees to provide *pro bono* legal and volunteer services within their communities that are consistent with applicable federal statutes and regulations governing conflicts-of-interest and outside activities and consistent with their responsibilities as National Labor Relations Board employees. While mindful that service in the Agency is itself one of the highest forms of public service, our Agency is now further striving to increase access to justice for all and to strengthen our communities. To this end, we encourage all Agency employees--support staff, attorneys, supervisors, and managers--to seriously consider participation in *pro bono* or volunteer service.

On February 5, 1996, President Clinton issued Executive Order 12988 which provides that "all Federal agencies should develop appropriate programs to encourage and facilitate *pro bono* legal and other volunteer service by government employees to be performed on their own time, including attorneys, as permitted by statute, regulation, or other rule or guideline." In response to this presidential directive, we issued the April 24, 1997 statement that encourages all Agency employees to participate in *pro bono* legal and volunteer programs and sets forth a coherent and uniform set of guidelines for attorney participation, which is particularly important because of the need to overcome a long-standing and widely-held assumption that federal government attorneys can generally not do *pro bono* legal work.

Clearly, there is a substantial unmet need for legal and other volunteer services for low-and moderate-income people in our communities and throughout the country. Agency personnel represent a significant resource, and should be encouraged to contribute to this effort.

Contempt Attorney Dan Collopy, Elizabeth Kilpatrick in Operations-Management and Cornele Overstreet, RD in Region 28 (Phoenix), have volunteered to help get our program in the field off the ground. Any questions regarding this initiative should be directed to Dan Collopy at (202) 273-3745 (dan.collopy@nrlb.gov) or to Elizabeth Kilpatrick at (202) 273-0058 (elizabeth.kilpatrick@nrlb.gov) or Cornele Overstreet at (602) 379-3265 (cornele.overstreet@nrlb.gov). In Arizona, the bar requires attorneys to perform a certain amount of *pro bono* work, so Cornele Overstreet has had more experience with this issue than many of our Regional managers.

Please note that employees participating in volunteer programs must follow Agency regulations which require approval from the General Counsel prior to engaging in the outside practice of law and from the Regional Director prior to engaging in outside activities (5 C.R.F. Section 2635.803). Also, Agency employees may not engage in *pro bono* legal or volunteer services that create or appear to create a conflict of interest with their work for the Agency (See 5 C.F.R. Section 2635). Further, Agency employees may not represent individuals before any other Federal government agency. For a full explanation of the parameters of the Agency's program, please review the Agency's Revised Policy Statement on *Pro Bono* Legal and Volunteer Services, as well as volunteer opportunities, which is attached and also can be found at the Agency's Pro Bonol/Volunteer Program electronic bulletin board, and will be available in the near future on the Agency's intranet web page.

/s/
L. R. P.

Attachment

cc: NLRBU

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